

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

CHARLES HOGARTY, on behalf of ) Case No. 08cv677-DMS (BLM)  
himself, the general public, )  
and all others similarly )  
situated, )  
Plaintiffs, )  
v. )  
NEC CORP. OF AMERICA, et al., )  
Defendants. )  
\_\_\_\_\_  
)

**ORDER CONFIRMING SETTLEMENT  
AND SETTING DEADLINE TO FILE  
JOINT MOTION FOR DISMISSAL**

An Early Neutral Evaluation Conference was held in the above matter on July 17, 2008 at 1:30 p.m. The case settled at this conference, and the parties drafted and signed a settlement agreement.

The parties are ordered to file their joint motion for dismissal of this case, signed by counsel of record and all parties, no later than August 11, 2008. A proposed order on the joint motion for dismissal must be e-mailed to the district judge's chambers<sup>1</sup> on the same day. If

---

<sup>1</sup> The proposed order shall be e-mailed pursuant to section 2(h) of the United States District Court for the Southern District of California's Electronic Case Filing Administrative Policies and Procedures Manual, available at [www.casd.uscourts.gov](http://www.casd.uscourts.gov) (follow link for "General Order 550, Procedural Rules for Electronic Case Filing").

1 the signed joint motion for dismissal is timely filed, the parties and  
2 attorneys are not required to make any further appearances before Judge  
3 Major.

4 If the fully executed joint motion for dismissal is not filed by  
5 August 11, 2008, then all counsel of record and unrepresented parties  
6 are required to appear in person for a Settlement Disposition Confer-  
7 ence. The Settlement Disposition Conference will be held on August 14,  
8 2008 at 9:00 a.m. in Courtroom A.

9 If counsel of record or any unrepresented party fails to appear at  
10 the Settlement Disposition Conference, or the parties fail to file the  
11 signed joint motion for dismissal in a timely manner, the Court will  
12 issue an Order to Show Cause why sanctions should not be imposed for  
13 failing to comply with this Order.

14 All other pending dates before Magistrate Judge Major are hereby  
15 vacated. Any matters currently scheduled before the district judge  
16 shall remain in effect pending notice from that court.

17 **IT IS SO ORDERED.**

18 DATED: July 21, 2008



19  
20 BARBARA L. MAJOR  
21 United States Magistrate Judge  
22  
23  
24

25 COPY TO:  
26

27 HONORABLE DANA M. SABRAW  
28 U.S. DISTRICT JUDGE

ALL COUNSEL